

## REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

### *Status of Claims:*

Claims 2, 5, 6 and 9-11 are currently being cancelled.

Claims 1 and 7 are currently being amended.

Claims 12 and 13 are currently being added.

This amendment and reply amends, adds and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending, adding and canceling the claims as set forth above, claims 1, 7 and 12-13 are now pending in this application.

### *Claim Rejections – 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph:*

In the Office Action, claims 1 and 2 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph, as being indefinite, for the reasons set forth on page 2 of the Office Action. In response, claim 1 has been amended to remove the offending phrase, and the features of claim 2 that are now incorporated into claim 1 have been rewritten to add the word “valve” in the correct place, to thereby overcome the indefiniteness claim of that claim.

### *Claim Rejections – 35 U.S.C. § 103(a):*

In the Office Action, claims 1, 2 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,318,980 to Kurihara in view of U.S. Patent No. 6,309,194 to Fraser; and claims 5-7, 9 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurihara and Fraser in view of U.S. Patent No. 6,152,703 to Yoshimura.

These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Column 5, lines 19-21 of Fraser describes a spacer or shim 60 formed between a valve plate 30 and a valve 20. There is no teaching or suggestion that the spacer or shim 60 is coated on the valve plate 30, and thus Fraser does not teach or suggest this feature of claim 2 that has been incorporated into presently pending independent claim 1.

**New Claims:**

New claims 12 and 13 have been added to recite additional features of the present invention that are believed to provide a separate basis of patentability for those claims, beyond the reasons given above for base claim 1.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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